

SENATE BILL 1106

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 43
and Title 67, relative to community gardening.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-5-2509(d), is amended by adding the following as a new subdivision:

(6) In lieu of the sale to private purchasers as provided in subsection (b), the proper officers of the municipality or county may convey property suitable for community gardening, as defined in § 43-24-102, to a private nonprofit entity that meets all of the following conditions, on any terms, including a donation, deemed appropriate to the officers:

(A) The entity is certified as a tax exempt entity under § 501(c)(3) of the Internal Revenue Code (26 U.S.C. § 501(c)(3));

(B) The entity is qualified to operate and maintain a community garden under title 43, chapter 24, and any rules or regulations promulgated pursuant thereto; and

(C) Ownership of the property shall revert to the municipality or county if the entity, or a successor nonprofit entity that meets all of the conditions of this subdivision (d)(6), ceases to operate and maintain a community garden on the property.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.